

**Assembly Joint Resolution No. 49**

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Adopted in Assembly    April 18, 1996

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*Chief Clerk of the Assembly*

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Adopted in Senate    August 19, 1996

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*Secretary of the Senate*

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This resolution was received by the Secretary of  
State this\_\_\_\_ day of \_\_\_\_\_, 1996,  
at \_\_\_\_o'clock \_\_M.

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*Deputy Secretary of State*

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## RESOLUTION CHAPTER \_\_\_\_

Assembly Joint Resolution No. 49—Relative to the reimbursement of the State of California for moneys actually expended in aid of the Government of the United States during the Civil War.

## LEGISLATIVE COUNSEL'S DIGEST

AJR 49, Conroy. Reimbursement for Civil War expenses.

This measure would memorialize the President and the Congress of the United States to enact legislation providing reimbursement to California for moneys expended during the Civil War.

WHEREAS, The State of California has not been reimbursed for moneys actually expended by the state for costs, charges, and expenses incurred in enrolling, equipping, transporting, and paying its volunteer troops during the Civil War in response to the urgent calls of, and under proper requisitions made by, the commanding general of the military department of the Pacific under direct authority of the President and the Secretary of War, upon the understanding that all of these costs, charges, and expenses actually incurred in raising troops for the United States would be reimbursed to the state, as shown by the letter from the former Secretary of State, Honorable William H. Seward, addressed to the Governor of California, dated October 14, 1861, wherein he stated:

“The President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside and to ask you to submit the subject to the consideration of the legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means. The expenditures ought to be made the subject of conference with the federal authorities. Being thus made with the



concurrence of the Government for general defense, there is every reason to believe that Congress would sanction what the State should do and would provide for its reimbursement"; and

WHEREAS, The record shows that the expenditures by the State of California on behalf of the United States were made with the knowledge, cooperation, and approval of the commanding general of the department of the Pacific representing the federal authorities; and

WHEREAS, The expenditures made by the State of California for, and on account of the United States and at its most urgent calls, are set forth by the Comptroller General of the United States under date of August 14, 1930, in pursuance of a resolution of the Senate passed May 28, 1930, as follows:

Grand total sum actually expended by and not repaid to the State of California on July 1, 1889, stated in the account set forth in the report of the Secretary of War made in pursuance of resolution of the Senate of Feb. 27, 1889, printed in S.Ex. Doc. No. 11, 51st Cong., 1st sess .....	\$4,420,891.16
Plus interest certified by the treasurer of the State of California as actually paid by said State on the sums so advanced and expended from July 1, 1889, to Dec. 31, 1929, \$571,104.17 interest on moneys borrowed through the sale of State bonds issued under authority of the act of the Legislature of the State of California of Apr. 27, 1863; and \$1,470,150 interest on moneys similarly borrowed to carry out the provisions of the act of the legislature of said State of Apr. 4, 1864 .....	2,041,254.17
Balance due the State of California .....	6,462,145.35

(S. Doc. No. 220, 71St Cong;, 3d scss.)  
; and



WHEREAS, No part of the sum actually expended for the benefit of the United States and at its request has been reimbursed to the State of California, although the costs, charges, and expenses, including interest, incurred by other states in aid of the government during the Civil War have been paid to those states; and

WHEREAS, The validity, equity, and justness of these expenditures made by the State of California in aid of the federal government in times of great stress have often been admitted and never successfully disputed; and

WHEREAS, The Senate, after thorough investigation, has repeatedly passed bills providing for reimbursement to the State of California, and the committees of the House of Representatives have likewise favorably reported bills for reimbursement; and

WHEREAS, The Seventieth Congress, after many years of consideration, passed, and the President approved, an act providing for the reimbursement to the State of Nevada for costs, charges, and expenses incurred in aid of the government during the Civil War identical in character and authorized under exactly similar circumstances as were the expenditures made by the State of California, thus recognizing the validity and merit of these expenditures; and

WHEREAS, The Assembly, in Assembly Joint Resolution No. 4 of the 1934 Legislative Session, petitioned the federal government for reimbursement of moneys expended during the Civil War; and

WHEREAS, That request, the first unfunded federal mandate, is still unfunded after more than 60 years; and

WHEREAS, The Legislature now reiterates its request to be reimbursed for those moneys; and

WHEREAS, Today, based on 41 years of additional interest, compounded at 6 percent annually, the state could claim more than \$81.7 million from the federal government; and

WHEREAS, California's legal pursuit of reimbursement ended on March 2, 1954, when the U.S. Court of Claims rejected all but \$8,985.15 of the state claim for \$7,561,508.15. The claim included payments and



interest on \$2.3 million in State Funded Debt Bonds issued by the state in 1873. These bonds refinanced \$668,570.86 in state bonds issued in 1863-64 to raise and maintain troops; and

WHEREAS, The State of California has been so long deprived of its rights respecting these expenditures upon part of which it is still paying interest, and since the state is now in such urgent need of the sum due from the United States, if this obligation is again brought to Congress' attention, Congress is likely to appreciate the justice of the state's request for reimbursement at this time in order that, upon repayment, the funds may be used to establish a California Military Museum dedicated to California's veterans. The moneys received, if paid in full with interest, will be sufficient to acquire a building, security, exhibit fabrication, research library, photo archives, artifact conservation facilities, and an endowment fund for staffing costs of the museum; now therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation providing for the reimbursement to the State of California for moneys expended during the Civil War; and be it further

*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, to the President and Vice President of the United States, to the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States.



Attest:

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*Secretary of State*

